IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1238 OF 2005
IN
APPEAL NO.657 OF 2005
IN
NOTICE OF MOTION NO.925 OF 2003
IN
TESTAMENTARY SUIT NO.73 OF 2002
IN
TESTAMENTARY PETITION NO.758 OF 2001

Vishwanandan Anandrao Agaskar Appellant

versus

Prakash Balajee Nayak & anr. Respondents

and

Smt.Kashimra V. Agaskar & ors. Applicant

Mr.E.K.Sashidharan for appellant.

Mr.J.K.Mistry i/by F.Motaframe & Co. for respondents.

CORAM : DR.S.RADHAKRISHNAN AND
S.C.DHARMADHIKARI, JJ.

DATE : 13th October 2005

PC :

1. Heard learned counsel for the appellant and respondents. By this Chamber Summons the Legal Representatives of the appellant are seeking to get implead themselves in place of the deceased appellant. Appellant died on 3rd August 2005.

For the reasons stated in the Chamber Summons, the Chamber Summons is made absolute in terms of prayer clause (a). Amendment to be carried out within a period of two weeks from today.

(DR.S.RADHAKRISHNAN, J.)

(S.C.DHARMADHIKARI, J.)